

No 4789 Equity

To the Honorable the Judges of the Orphans Court of Frederick County Maryland  
Thomas Eli Rutzahn, late of Frederick County Maryland deceased by his  
last will and testament, bearing date on the ninth day of December 1880, and of probate  
in your Honorable Court did devise to the undersigned, a farm, described in said Will  
and containing One hundred and sixty two and half acres of land, at and for the sum  
of Sixty dollars per acre. Now I John H Rutzahn to whom said farm is devised as afore-  
said, do hereby refuse said devise and decline to take the said farm upon the conditions  
and at the price specified in said last will and testament

Exhibit No 3

Test. Geo Kergle John H Rutzahn.  
Filed April 29. 1881.

State of Maryland Frederick County to wit:

I hereby certify that the foregoing is a true copy from the Original as filed and recor-  
ded in the Office of the Register of Wills of the State and County aforesaid

In testimony whereof I herewith subscribe my name and affix  
the Seal of Office this 6th day of April A. D. 1882



James O Perry  
Register of Wills for  
Frederick County Maryland

Filed May 6 1882.

State of Maryland Frederick County to Wit

The State of Maryland

To Mary A Rutzahn, Simon D Rutzahn, Lucinda F Rutzahn Sarah J  
Rutzahn and Amanda Catharine Rutzahn of Frederick County

Greeting: You are hereby commanded that all excuses set apart, you personally appear before  
the Judges of the Circuit Court for Frederick County sitting as a Court of Equity, to be held at  
the Court House in Frederick in and for Frederick County, on the second Monday of May 1882  
to answer the bill and Complaint of John H Rutzahn and Ida Rutzahn his wife against  
you in said Court Exhibited, and so forth.

Subpoena

Hereof, fail you not, as you will answer the contrary at your peril  
Witness the Hon John Ritchie Chief Judge of the said Court the 20th day of February A. D 1882  
Issued the 6th day of May A. D 1882

To the Sheriff of Frederick County  
(Mottin & Gelpin) Adolphus Fearhake Jr Clerk

Enavored: Summoned, Robert Derrick Sheriff

John H Rutzahn and  
Ida Rutzahn his wife

No 4789 Equity  
In the Circuit Court for  
Frederick County  
sitting as a Court of Equity  
May Term 1882

Answer of  
Simon D Rutzahn  
Sarah J and  
Amanda C.

Mary A Rutzahn Malachi C  
Rutzahn, Simon D Rutzahn  
and others

The joint and Separate answer of Simon D Rutzahn, Sarah J Rutzahn and Amanda  
Catharine Rutzahn of Frederick County Maryland to the bill of complaint filed against them  
and others in the above entitled cause

These defendants admit the matters and things alleged in said Bill of Complaint to be  
true and consent to the passage of a decree as prayed for.

And as in duty bound will ever pray  
Simon D Rutzahn  
Sarah J Rutzahn  
Amanda C Rutzahn  
Filed May 8th 1882